



General Assembly

January Session, 2015

***Raised Bill No. 1042***

LCO No. 4294



Referred to Committee on GOVERNMENT ADMINISTRATION  
AND ELECTIONS

Introduced by:  
(GAE)

***AN ACT CONCERNING MUNICIPAL OPTIONS FOR ELECTIONS.***

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1      Section 1. (NEW) (*Effective from passage*) Notwithstanding any  
2      provision of title 9 of the general statutes, the Secretary of the State, in  
3      consultation and coordination with The University of Connecticut,  
4      may authorize the use of electronic equipment for the purpose of  
5      conducting any audit required pursuant to section 9-320f of the general  
6      statutes for any primary or general election held on or after January 1,  
7      2016, provided (1) the Secretary of the State prescribes specifications  
8      for (A) the testing, set-up and operation of such equipment, and (B) the  
9      training of election officials in the use of such equipment; and (2) the  
10     Secretary of the State and The University of Connecticut agree that  
11     such equipment is sufficient in quantity to accommodate the total  
12     number of audits to be conducted. Nothing in this section shall  
13     preclude any candidate or elector from seeking additional remedies  
14     pursuant to chapter 149 of the general statutes as a result of any  
15     information revealed by such process.

16       Sec. 2. Section 9-164 of the general statutes is repealed and the  
17       following is substituted in lieu thereof (*Effective July 1, 2016*):

18       (a) [Notwithstanding any contrary provision of law] Unless  
19       otherwise provided by charter or ordinance, beginning January 1, 2017,  
20       and quadrennially thereafter, there shall be held in each municipality [,  
21       biennially,] a municipal election on the first Monday of May or the  
22       Tuesday after the first Monday of November, [of the odd-numbered  
23       years,] whichever date the legislative body of such municipality  
24       determines, provided, if no action is taken by the legislative body to so  
25       designate the date of such election, such election shall be held on the  
26       Tuesday after the first Monday of November [of the odd-numbered  
27       years] 2017 and quadrennially thereafter. In any municipality where  
28       the term of any elected official would expire prior to the next regular  
29       election held under the provisions of this section, the term of such  
30       official shall be extended to the date of such election.

31       (b) Upon the occurrence of a vacancy in a municipal office or upon  
32       the creation of a new office to be filled prior to the next regular  
33       election, a special municipal election may be convened either by the  
34       board of selectmen of the municipality or upon application of twenty  
35       electors of the municipality filed with the municipal clerk. The date of  
36       such election shall be determined by the board of selectmen of the  
37       municipality, and notice of such date shall be filed with the municipal  
38       clerk. In determining the date of such election, the board of selectmen  
39       shall allow the time specified for holding primaries for municipal  
40       office in section 9-423 and the time specified for the selection of party-  
41       endorsed candidates for municipal office in section 9-391. On  
42       application of twenty electors of the municipality, the date of such  
43       election, as determined by the board of selectmen, shall be not later  
44       than the one hundred fiftieth day following the filing of such  
45       application, provided, if such date of such election is not more than  
46       thirty days before a regular election is to be held in such municipality,  
47       the Secretary of the State may combine such special municipal election  
48       with the regular election. Except as otherwise provided by general

49 statute, the provisions of the general statutes pertaining to elections  
50 and primaries shall apply to special municipal elections. No such  
51 election may be held unless the municipal clerk first files notice of the  
52 office or offices to be filled at such election with the town chairman of  
53 the town committee of each major and minor party within the  
54 municipality and with the Secretary of the State at least three weeks in  
55 advance of the final time specified for the selection of party-endorsed  
56 candidates for municipal office in section 9-391. The municipal clerk  
57 shall forthwith warn such election in the same manner as the warning  
58 of municipal elections pursuant to section 9-226.

59 (c) Notwithstanding any provision of subsection (b) of this section  
60 to the contrary, any town which by charter provides that a vacancy in  
61 its legislative body shall be filled by a special election held no later  
62 than forty-five days after the effective date of the vacancy shall hold  
63 such election not later than forty-five days after the occurrence of the  
64 vacancy. No such election may be held unless the municipal clerk  
65 forthwith upon the occurrence of the vacancy files notice of the office  
66 to be filled at the election with the town chairman of the town  
67 committee of each major and minor party within the municipality and  
68 with the Secretary of the State. Nominations by political parties for  
69 such office shall be made as the rules of such parties which are filed  
70 with the town clerk provide, in accordance with section 9-390. Such  
71 nominations may be made and certified at any time after the vacancy  
72 occurs but not later than the thirty-sixth day before the day of the  
73 election. No such nomination shall be effective until the presiding  
74 officer and secretary of the town committee certify the nomination to  
75 the town clerk. No primary shall be held for the nomination of any  
76 political party to fill any vacancy in such office and the party-endorsed  
77 candidate so certified shall be deemed the nominee of such party.  
78 Nominations may also be made by petition in the manner provided in  
79 sections 9-379 and 9-453a to 9-453p, inclusive, which petitions shall be  
80 submitted to the town clerk of the town in which the signers reside not  
81 later than the thirty-sixth day before the day of the election and filed in

82 the office of the Secretary of the State not later than two days  
83 thereafter. The municipal clerk shall forthwith warn such election in  
84 the same manner as the warning of municipal elections pursuant to  
85 section 9-226.

86 (d) Notwithstanding the provisions of subsections (a) to (c),  
87 inclusive, of this section, any borough may, by a vote of the legislative  
88 body of such borough, hold a meeting, pursuant to the procedures set  
89 forth in chapter 90, for the purposes of nominating and electing  
90 officials for such borough on the first Monday of May of an odd-  
91 numbered year. Any person who is an elector within such borough  
92 may vote at such meeting. If, however, a petition is filed pursuant to  
93 subsection (b) of this section not later than one hundred eighty days  
94 prior to the date of such meeting, the municipal clerk shall warn and  
95 the municipality shall hold, as prescribed by said subsection, a  
96 municipal election, pursuant to the procedures set forth in this chapter.

97 Sec. 3. Section 9-187a of the general statutes is repealed and the  
98 following is substituted in lieu thereof (*Effective July 1, 2016*):

99 Except as provided in sections 9-164a to 9-164f, inclusive, the term  
100 of each elected municipal official shall begin within seventy days after  
101 the municipal election at which such official is elected, on the day  
102 within such period prescribed by special act or charter provision, or, in  
103 the absence of such special act or charter provision, on the day within  
104 such period as is prescribed by action of the legislative body of such  
105 municipality, provided, in accordance with subsection (a) of section 9-  
106 164, as amended by this act, (1) in each municipality which holds its  
107 municipal election on the first Monday of May, [in the odd-numbered  
108 years,] in the absence of such special act or charter provision, or action  
109 of the legislative body, such terms shall begin on the first day of July  
110 following the municipal election at which such official is elected, and  
111 (2) in each municipality which holds its municipal election on the  
112 Tuesday after the first Monday of November, [in the odd-numbered  
113 years,] with the exception of the term of the town clerk, [in the absence

114 of such special act, or charter provision, or action of the legislative  
115 body, such term shall begin on the second Tuesday next] such terms  
116 shall begin on the first day of December following the day of the  
117 municipal election at which such official is elected, and (3) in each  
118 municipality which holds its municipal election on the Tuesday after  
119 the first Monday in November, [in the odd-numbered years,] the term  
120 of the town clerk shall be [two] four years, in accordance with sections  
121 9-189 and 9-189a, from the first Monday of January next succeeding his  
122 election. [, unless otherwise provided by charter or special act.]  
123 Whenever the beginning date of the terms of elected municipal  
124 officials is so determined or changed, within the limits hereinabove  
125 specified, the authority providing therefor may provide for the  
126 conforming diminution or extension of terms of incumbents.

127 Sec. 4. Section 9-250 of the general statutes is repealed and the  
128 following is substituted in lieu thereof (*Effective from passage*):

129 Ballots shall be printed in plain clear type and on material of such  
130 size as will fit the tabulator, and shall be furnished by the registrar of  
131 voters. The size and style of the type used to print the name of a  
132 political party on a ballot shall be identical with the size and style of  
133 the type used to print the names of all other political parties appearing  
134 on such ballot. The name of each major party candidate for a municipal  
135 office, as defined in section 9-372, except for the municipal offices of  
136 state senator and state representative, shall appear on the ballot [as it  
137 appears on the registry list of the candidate's town of voting residence,  
138 except as provided in section 9-42a] as authorized by each candidate.  
139 The name of each major party candidate for a state or district office, as  
140 defined in section 9-372, or for the municipal office of state senator or  
141 state representative shall appear on the ballot as it appears on the  
142 certificate or statement of consent filed under section 9-388, subsection  
143 (b) of section 9-391, or section 9-400 or 9-409. The name of each minor  
144 party candidate shall appear on the ballot [as it appears on the registry  
145 list in accordance with the provisions of section 9-452] as authorized by  
146 each candidate. The name of each nominating petition candidate shall

147 appear on the ballot as it is verified by the town clerk on the  
148 application filed under section 9-453b. The size and style of the type  
149 used to print the name of a candidate on a ballot shall be identical with  
150 the size and style of the type used to print the names of all other  
151 candidates appearing on such ballot. Such ballot shall contain the  
152 names of the offices and the names of the candidates arranged thereon.  
153 The names of the political parties and party designations shall be  
154 arranged on the ballots and followed by the word "party", either in  
155 columns or horizontal rows as set forth in section 9-249a, immediately  
156 adjacent to the column or row occupied by the candidate or candidates  
157 of such political party or organization. The ballot shall be printed in  
158 such manner as to indicate how many candidates the elector may vote  
159 for each office, provided in the case of a town adopting the provisions  
160 of section 9-204a, such ballot shall indicate the maximum number of  
161 candidates who may be elected to such office from any party. If two or  
162 more candidates are to be elected to the same office for different terms,  
163 the term for which each is nominated shall be printed on the official  
164 ballot as a part of the title of the office. If, at any election, one candidate  
165 is to be elected for a full term and another to fill a vacancy, the official  
166 ballot containing the names of the candidates in the foregoing order  
167 shall, as a part of the title of the office, designate the term which such  
168 candidates are severally nominated to fill. No column, under the name  
169 of any political party or independent organization, shall be printed on  
170 any official ballot, which contains more candidates for any office than  
171 the number for which an elector may vote for that office.

172 Sec. 5. Subsection (a) of section 9-437 of the general statutes is  
173 repealed and the following is substituted in lieu thereof (*Effective from*  
174 *passage*):

175 (a) At the top of each ballot shall be printed the name of the party  
176 holding the primary, and each ballot shall contain the names of all  
177 candidates to be voted upon at such primary, except the names of  
178 justices of the peace. The vertical columns shall be headed by the  
179 designation of the office or position and instructions as to the number

180 for which an elector may vote for such office or position, in the same  
 181 manner as a ballot used in a regular election. The name of each  
 182 candidate for town committee or municipal office, except for the  
 183 municipal offices of state senator and state representative, shall appear  
 184 on the ballot [as it appears on the registry list of such candidate's town  
 185 of voting residence, except as provided in section 9-42a] as authorized  
 186 by each candidate. The name of each candidate for state or district  
 187 office or for the municipal offices of state senator or state  
 188 representative shall appear on the ballot as it appears on the certificate  
 189 or statement of consent filed under section 9-388, 9-391, 9-400 or 9-409.  
 190 On the first horizontal line, below the designation of the office or  
 191 position in each column, shall be placed the name of the party-  
 192 endorsed candidate for such office or position, such name to be  
 193 marked with an asterisk; provided, where more than one person may  
 194 be voted for any office or position, the names of the party-endorsed  
 195 candidates shall be arranged in alphabetical order from left to right  
 196 under the appropriate office or position designation and shall  
 197 continue, if necessary, from left to right on the next lower line or lines.  
 198 In the case of no party endorsement there shall be inserted the  
 199 designation "no party endorsement" at the head of the vertical column,  
 200 immediately beneath the designation of the office or position. On the  
 201 horizontal lines below the line for party-endorsed candidates shall be  
 202 placed, in the appropriate columns, the names of all other candidates  
 203 as hereinafter provided.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>July 1, 2016</i>	9-164
Sec. 3	<i>July 1, 2016</i>	9-187a
Sec. 4	<i>from passage</i>	9-250
Sec. 5	<i>from passage</i>	9-437(a)

***Statement of Purpose:***

To permit (1) the use of electronic equipment to conduct post-election audits, (2) a municipal candidate to designate how his or her name shall appear on a ballot, and (3) a municipality to elect all municipal officials to terms of four years, relieving such municipality of having to conduct a municipal election every odd-numbered year.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*